



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No. AUS920030437US1

In re Application of:

**DON DAY, ET AL.**

Serial No.: 10/631,058

Filed: **JULY 31, 2003**

For: **METHOD, SYSTEM AND  
PROGRAM PRODUCT FOR DYNAMIC  
TRANSMISSION IN A MESSAGING  
SESSION**

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Examiner: Not yet assigned

Art Unit: 2186

**INFORMATION DISCLOSURE STATEMENT**  
**PURSUANT TO 37 C.F.R. § 1.97(b)**

Commissioner for Patents  
PO Box 1450  
Alexandria, Virginia 22313-1450

Sir:

Applicants request that the information listed on the attached (Substitute) Form PTO-1449 be considered by the Office during the pendency of the above-entitled application, pursuant to 37 C.F.R. § 1.97(b). This Information Disclosure Statement is being filed under 37 C.F.R. § 1.97 (b) within three months of the filing date of the application, or before the mailing date of a first office action on the merits. No fee or certification is required.

No fee is believed to be necessary; however, in the event that any fee is required, please charge it to **IBM Corporation's Deposit Account Number 09-0447**.

Respectfully submitted,

Craig J. Yudell

Registration No. 39,083

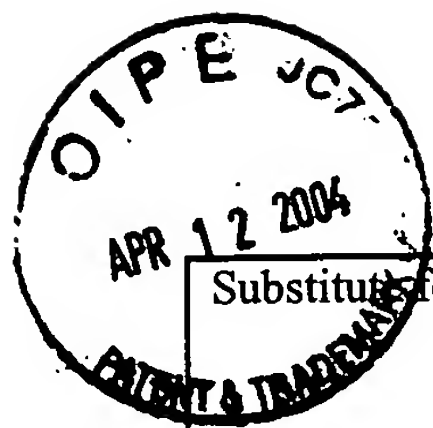
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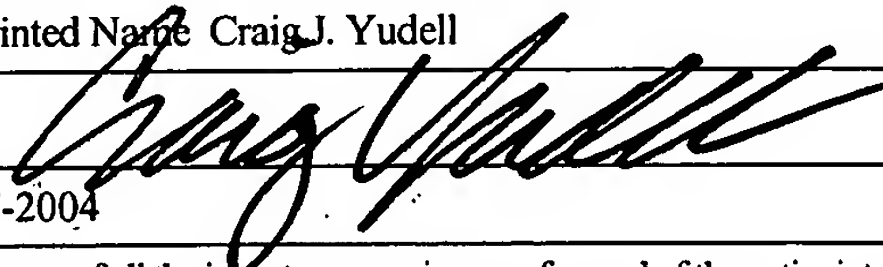
ATTORNEY FOR APPLICANT(S)



|   |           |  |                               |                               |                             |
|---|-----------|--|-------------------------------|-------------------------------|-----------------------------|
| Substituted Form 1449/PTO<br><br><b>INFORMATION DISCLOSURE<br/>STATEMENT BY APPLICANT</b> |           |  |                               | <b>Complete if Known</b>      |                             |
|   |           |  |                               | Application Number            | 10/631,058                  |
|   |           |  |                               | Filing Date                   | 07-31-2003                  |
|   |           |  |                               | First Named Inventor          | Don Day, et al.             |
|   |           |  |                               | Group Art Unit                | 2186                        |
|   |           |  |                               | Examiner Name                 | Not yet assigned            |
| Sheet   | 1         | of   | 1                             | Attorney Docket Number        | AUS920030437US1             |
| <b>U.S. PATENT DOCUMENTS</b>  |           |  |                               |                               |                             |
| Examiner Initials   | IDS Doc # | U.S. Patent Document Number  | Name of Patentee or Applicant |                               | Publication Date MM-DD-YYYY |
|   |           | US 6338044 B1  | COOK, ET AL.                  |                               | 01-08-2002                  |
|   |           | US 6330554 B1  | ALTSCHULER, ET AL.            |                               | 12-11-2001                  |
|   |           | US 6301609 B1  | ARAVAMUDAN, ET AL.            |                               | 10-09-2001                  |
|   |           | US 6205432 B1  | GABBARD, ET AL.               |                               | 05-20-2001                  |
|   |           | 6119101  | PECKOVER                      |                               | 09-12-2000                  |
|   |           | US2002/0026351 A1  | COLEMAN                       |                               | 02-28-2002                  |
|   |           | US2002/0048349 A1  | BIXLER, ET AL.                |                               | 04-25-2002                  |
|   |           | US2002/0059590 A1  | KITSUWAKA, ET AL.             |                               | 05-16-2002                  |
|   |           | US2002/0046099 A1  | FRENGUT, ET AL.               |                               | 04-18-2002                  |
| <b>FOREIGN PATENT DOCUMENTS</b>   |           |  |                               |                               |                             |
| Examiner Initials   | IDS Doc # | Office   | Foreign Patent Document No.   | Name of Patentee or Applicant | Date of Publication         |
|   |           |  |                               |                               |                             |
| <b>OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS</b>                                  |           |  |                               |                               |                             |
| Examiner Initials   | IDS Doc # | Include the name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published |                               |                               | English Translation         |
|   |           | U.S. Patent Application Serial No. 09/294,358, filed April 20, 1999, titled "Buddy List for Telephone Network"   |                               |                               |                             |
|   |           | U.S. Patent Application Serial No. 10/237,650, filed September 9, 2002, titled "Instant Messaging with Caller Identification"  |                               |                               |                             |
|   |           | U.S. Patent Application Serial No. 10/347,095, filed January 18, 2003, titled "Instant Messaging System with Privacy Codes"  |                               |                               |                             |
|   |           | U.S. Patent Application Serial No. 10/347,087, filed January 18, 2003, titled "Method and System for Publication of Instant Messaging Privacy Codes"   |                               |                               |                             |
|   |           | U.S. Patent Application Serial No. 10/411,468, filed April 10, 2003, titled "User Control of Off-Line Messaging"   |                               |                               |                             |
|   |           | U.S. Patent Application Serial No. 10/411,412, filed April 10, 2003, titled "Timing of Off-Line Messaging"   |                               |                               |                             |
|   |           | U.S. Patent Application Serial No. 10/411,416, filed April 10, 2003, titled "Authorized Access to Off-Line Messaging"  |                               |                               |                             |
| Examiner Signature  |           |  |                               |                               | Date Considered             |

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant

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| <b>CHANGE OF<br/>CORRESPONDENCE ADDRESS</b><br><i>Application</i><br>Address to:<br>Commissioner for Patents<br>P.O. Box 1450<br>Alexandria, Virginia 22313-1450  |                                     | Application Number     | 10/631,058       |           |  |
|   |                                     | Filing Date            | July 31, 2003    |           |  |
|   |                                     | First Names Inventor   | Don Day, et al.  |           |  |
|   |                                     | Art Unit               | 2186             |           |  |
|   |                                     | Examiner Name          | Not yet assigned |           |  |
|   |                                     | Attorney Docket Number | AUS920030437US1  |           |  |
| Please change the Correspondence Address for the above-identified patent application to:<br><br>Customer Number :<br><br><b>OR</b>  |                                     |                        |                  |           |  |
| Firm or Individual Name   | DILLON & YUDELL LLP                 |                        |                  |           |  |
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| Typed or Printed Name Craig J. Yudell   |                                     |                        |                  |           |  |
| Signature    |                                     |                        |                  |           |  |
| Date 04-07-2004   |                                     | Telephone 512.343.6116 |                  |           |  |
| NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.  |                                     |                        |                  |           |  |
| <input type="checkbox"/> Total of ____ forms are submitted.   |                                     |                        |                  |           |  |

This collection of information is required by 37 CFR 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Typed or Printed Name: SHENISE RAMDEEN

Signature: Shenise Ramdeen

Date: 4-07-2004

Application Serial No. 10/031,058